

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

### Color Country District Office

#### Cedar City Field Office

176 East DL Sargent Drive

Cedar City, UT 84721

Telephone (435) 865-3000

[www.blm.gov/ut/st/en/fo/cedar\\_city.html](http://www.blm.gov/ut/st/en/fo/cedar_city.html)

51001/0083



#### In Reply Refer To:

UTC01

3809: UTU-91217

RECEIVED

JUL 01 2015

DIV. OF OIL, GAS & MINING

June 26, 2015

Mr. John D. Smith  
M & J Energy, LLC  
P.O. Box 1940  
Beaver, UT 84713

FILE COPY

Dear Mr. Smith:

On June 8, 2015, this office received a copy of your application for a small mine permit submitted to the Division of Oil, Gas and Mining. The application proposes removing up to 1,000 tons of magnetite tailings from an existing tailings impoundment within the Lincoln Gulch drainage at the south end of the Mineral Mountains, Beaver County. The proposed project disturbances fall entirely on BLM-managed lands for a locatable mineral and so are also subject to regulation by the BLM under the 43 CFR 3809, surface management regulations. Since the markets for the tailings material are presently uncertain, the BLM has chosen to treat the proposal as exploratory-level bulk sampling.

The proposal has been reviewed for completeness and compliance with the surface management regulations, and for possible conflicts with cultural resources and sensitive plants and animals. The notice was accepted as complete and the work can be carried out as proposed, with the following constraints.

1. If exploration goes beyond March 15, 2016, you must inform this office so that the BLM can conduct a nesting raptor survey. This survey will ensure the project activities are in compliance with the FWS's Utah Field Office Raptor Protection Guidelines from Human and Land Use Disturbances and the Utah BLM's Best Management Practices for Raptors and their Associated Habitats.
2. To avoid impacts to nesting migratory birds, the work should be implemented between July 16, 2015 and March 14, 2016. If this is not possible, the must inform this office so BLM can complete migratory bird nesting season surveys to characterize migratory bird utilization of the project area and apply the appropriate seasonal and spatial buffers.



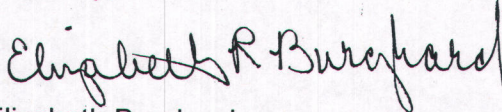
In your permit submission to the Division, you request a waiver on the re-vegetation standard for any disturbance made to the tailings. This request is based on the lack of suitable growth media in the tailings areas and the very limited current vegetative cover on the tailings material despite the forty plus years since they were deposited. BLM considers this a reasonable request and accepts your proposal to simply re-contour any disturbed areas on the tailings and re-seed them.

The BLM has assigned file UTU-91217 to cover the project disturbances. Please use this number in all future correspondence with this office.

This office, in consultation with the Division, has determined that a reclamation bond, in the amount of \$7,700, must be provided to the Division or the BLM before commencing the project work. You must also receive written approval from the Division to proceed. The BLM notice is only valid for two years unless timely extended under 43 CFR 3809.333.

If you have any questions, feel free to contact Ed Ginouves of my staff at (435) 865-3040.

Sincerely,

A handwritten signature in cursive script, reading "Elizabeth R. Burghard".

Elizabeth Burghard  
Field Office Manager

Enclosures: CCFO Standard Operating Practices / Reclamation Standards

cc: Peter Brinton, DOGM  
(DOGM file S/001/0083, BLM file UTU-91217, Lincoln Millsite)

Ms. Rosemary J. Beliss, Fabien Clendenin, 215 South State St, Suite 1200, Salt Lake City, UT 84111-2323

Grand Central Silver Mines, Inc., 2500 West Higgins Road, Suite 360, Hoffman Estates, IL 60169



**RECLAMATION STANDARDS**  
**for**  
**Notice-Level Exploration Activities, BLM Cedar City Field Office**

1. At the earliest feasible time, the operator will reclaim the area disturbed, except to the extent necessary to preserve evidence of mineralization. Reclamation will include reasonable measures to prevent or control onsite and offsite damage of public lands.
2. Reclamation will include but not be limited to:
  - a. Saving topsoil (top 3 to 6 inches) for final application after reshaping of disturbed areas.
  - b. Controlling erosion, landslides, and water runoff.
  - c. Isolating, removing, or controlling toxic materials.
  - d. Reshaping disturbed areas, applying topsoil, and revegetating where reasonably practicable.
  - e. Controlling noxious weeds invading the site.
  - f. Rehabilitating fisheries and wildlife habitat.
3. Access roads, unless otherwise approved by the authorized officer, will be closed by reshaping the disturbed area to near original contours, scarifying where compaction prevents seed covering, and revegetating with the mixture specified below. Water bars will be placed on steep inclines and access blocked to future vehicular traffic.
4. Unless otherwise approved in the acceptance of the notice, all high walls or material piles will be recontoured to slopes not steeper than 3:1 and revegetated using the recommended mixture.
5. Authorized pits with high walls in excess of 4 feet will be fenced or barricaded to protect unsuspecting public land users from injury. All shafts and adits will be covered or blocked to prevent unauthorized or accidental entry.
6. Seeding of disturbed areas will be done between September 30 and December 15. Seed should not be placed on top of deep snow. Seed beds will be prepared to a depth of 6 inches by ripping, discing, or harrowing. Seed will be planted with a rangeland or farm drill or broadcast seeded. If broadcast seeded, the seed will be harrowed or raked  $\frac{1}{4}$  to  $\frac{1}{2}$  inch into the soil. The seed amount described below will be doubled if the area is broadcast seeded. The recommended seed mixture to be used on all disturbed areas if applied by a drill includes:

Blue-bunch wheatgrass	2 lb / acre
Indian ricegrass (var. Nezpar)	1 lb / acre
Smooth brome grass	1 lb / acre
Pubescent wheatgrass	1 lb / acre
Small Burnet	1 lb / acre
Fourwing saltbush	$\frac{1}{2}$ lb / acre
Bitterbrush	$\frac{1}{2}$ lb / acre
Lewis Flax	$\frac{1}{2}$ lb / acre
Palmer Penstemon	$\frac{1}{2}$ lb / acre
7. All hazardous tailing dumps, materials or substances produced by the operation will be disposed of in accordance with applicable federal and state laws. All waste, debris, buildings, and materials will be removed from the site and deposited at appropriate waste facilities.
8. All dry drill holes will be plugged with uncontaminated native material to a depth of 5 feet. The top 5 feet will be plugged with cement. Drill holes which encounter water will also be cemented from at least 50 feet below to 50 feet above the saturated zone. The location, depth, and relative flow rate of any subsurface water encountered will be reported to the authorized officer.
9. Additional reclamation requirements may be needed on a case-by-case basis. These additional requirements will be issued by the authorized officer after consultation with the operator.
10. The authorized officer will be notified within 10 days of final reclamation.



## **STANDARD OPERATING PROCEDURES**

### **Notice-Level Exploration Activities, BLM Cedar City Field Office**

1. Existing road access will be used whenever possible. Access will be planned for the minimum width needed for operations and will not exceed 16 feet in width. Roads will follow natural contours where practicable to minimize the need for cut and fill. The cuts from construction or improvement of access will be less than 3 feet on the inside edge. The authorized officer will be notified of any exceptions before construction begins.
2. Disturbance of existing vegetation will be held to the minimum necessary for the operation. Large vegetation such as pinion and juniper trees will be avoided whenever possible.
3. If cultural resources are encountered, including all historic or prehistoric artifacts or structures, the operator will immediately suspend operations and report the findings to the BLM field office. It is the responsibility of the operator to ensure there is no removal or destruction of historic and prehistoric remains on public lands.
4. If an endangered species is encountered, the operator will avoid the species and immediately inform the BLM field office. Wild horses, wildlife and livestock will not be harassed.
5. All sites will be kept in a safe, clean, and environmentally stable condition. Any hazardous materials used in the operation must be pre-approved by BLM personnel and kept in approved safe containers. The BLM field office will be immediately notified of any spills or accidents involving hazardous materials.
6. Water from stock-water reservoirs, springs, and wells will not be used for operations unless prior approval has been granted by the individual or agency responsible for the water rights of the source.
7. All official survey monuments, witness corners, reference monuments, bearing trees, etc., will be protected against destruction, obliteration or damage. Current mining claim markers will also be protected. When mining or exploration activities are concluded, the operator will remove all operation survey markers, stakes, flagging, etc., which are not needed for ongoing activities.
8. Wet roads should be avoided when ruts of two inches or deeper will result from road use. The operator will be responsible for reconditioning public roads used under these conditions.